

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

YADKIN RIVERKEEPER, INC., AND )  
WATERKEEPER ALLIANCE, INC., )  
                                    )  
Plaintiffs,                     )  
                                    )  
v.                                 )  
                                    )  
DUKE ENERGY CAROLINAS, LLC, )  
                                    )  
Defendant.                     )  
\_\_\_\_\_  
                                    )

**EXHIBIT 3**  
**TO**  
**COMPLAINT**

## **AFFIDAVIT OF TERRI BURNHAM**

Terri Burnham, being first duly sworn, deposes and says:

1. My name is Terri Burnham. I have personal knowledge of the matters stated herein. I am over 18 years of age. I live in Rowan County, North Carolina.
2. I am a retired small business owner.
3. I have lived on High Rock Lake on the Yadkin River since 1977. I first lived on the Davidson County side of High Rock Lake, and have lived on the Rowan County side since approximately 1978. My home is approximately 6-8 miles southeast of the Buck Power Plant.
4. I am a member of Yadkin Riverkeeper, Inc. I am not currently a member of any other environmental organization, but I used to be on the Rowan County High Rock Lake Committee and was a member of the High Rock Lake Association. I was a member of the committee that successfully opposed a hazardous waste facility on the Yadkin River in the 1990s.
5. For the past 35 years I have recreate regularly in the Yadkin River at High Rock Lake, where my home is located. I am concerned about the seepage of pollutants from the coal ash ponds at the Buck facility into the Yadkin River and the impact that is having on water quality in the river. I worry about the impacts to my health and to the health of others who recreate in this river. I would spend more time on the Yadkin River if it were not polluted.
6. I am concerned about the injuries I may incur as a result of my use of the river. I understand and am concerned about the negative health effects of exposure to high levels of toxins such as mercury and PCBs, which are contained in the coal ash being held upstream at the Buck facility.

7. I enjoy recreational boating, water skiing, and canoeing on the Yadkin River downstream from the Buck facility. When my children were younger we were on the Lake almost daily, boating and water skiing. I do not swim in High Rock Lake due to the nutrient and pollution levels. I am concerned for my health and for the health of those who spend time in the Yadkin River downstream of the power plant due to the pollution seeping into the river from the coal ash ponds.

8. I do not fish in the Yadkin River because it is too polluted. If it were clean, I would eat fish from High Rock Lake. The lake has fish that should be great to eat – bass, trout, and perch. There have been signs posted around the Lake warning the pregnant women and children should not eat the fish. I am concerned about my health from exposure to pollutants, including pollutants from the Buck coal ash, if I were to eat the fish in the Yadkin River downstream of the Buck facility.

9. I am concerned about the impact of the Buck coal ash ponds on groundwater. In particular, I am concerned about the impact on drinking my water, which comes from a well. If the aquifer becomes polluted, my drinking water will be polluted as well.

10. I am concerned about the bioaccumulation of toxic pollutants in area wildlife. I am also concerned about water pollution from the Buck coal ash ponds impacting my use and enjoyment of the wildlife, habitat, and natural beauty of the river.

11. My interests are fully and adequately represented by Yadkin Riverkeeper, Inc. in this proceeding.

I swear/affirm that the foregoing is true and correct to the best of my knowledge, information, and belief. Executed on 25, 2013.



Terri Burnham  
Terri Burnham

Subscribed and sworn to before me, a notary public, this the 25 day of September, 2013.

Sherree Gillespie  
Notary Public

My commission expires: June 3, 2014